

If the motion is granted - or if the disclosure or requested discovery is provided after the motion was filed - the court must, after giving an opportunity to be heard, require the party or deponent whose conduct necessitated the motion, the party or attorney advising that conduct, or both to pay the movant's reasonable

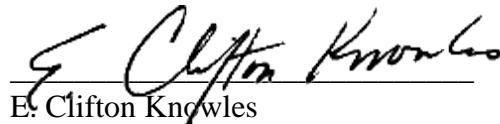
expenses incurred in making the motion, including attorney's fees. But the court must not order this payment if:

- i) the movant filed the motion before attempting in good faith to obtain the disclosure or discovery without court action;
- ii) the opposing party's nondisclosure, response, or objection was substantially justified; or
- iii) other circumstances make an award of expenses unjust.

Defendant seeks sanctions in the amount \$250.

For the foregoing reasons, the Motion to Compel is GRANTED. Plaintiffs shall make their initial disclosures as required by Rule 26(a) within 14 days from the entry of the instant Order. If Plaintiffs fail to do so, the undersigned will recommend that this action be dismissed. Defendant's Motion for Sanctions is taken under advisement pending Plaintiff's opportunity to be heard. If Plaintiffs wish to be heard, they shall file a response to the instant Order within 14 days from the date of entry of the instant Order.

IT IS SO ORDERED.



E. Clifton Knowles
United States Magistrate Judge